

REMARKS

Claims 1-9 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,418,581 to Conway (hereinafter "Conway"). The Examiner states that Conway teaches the required components of the Applicant's device.

However, Applicant's independent claims 1 and 9 require a hinge element forming an integral part of the lens. Paragraph [0003] of the applicant's specification calls out the advantages of such a configuration:

The present eyewear advantageously provides a simplified eyewear which comprises three components, namely, a lens and a pair of earstems, the later being easily detachable from the lens. The present eyewear also advantageously provides an eyewear in which the pair of earstems are mounted directly to the lens without any additional components

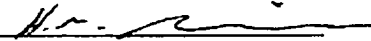
By direct contrast, Conway describes a system also including a frame, and teaches that the frame hinges with the earstem. There is no teaching in Conway to form the hinge portion integrally with the lens. In order to make out a prima facie case of obviousness, a proposed combination of prior art references must teach or suggest all of the limitations of the rejected claims. *In re Vaech*, 947 F.2d 488, 20 U.S.P.Q.2d 1438 (Fed. Cir. 1991); *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (CCPA 1974). "All words in a claim must be considered in judging the patentability of that claim against the prior art." *In re Wilson*, 424 F.2d 1382, 1385, 165 U.S.P.Q. 494, 496 (CCPA 1970).

Conway does not teach the required construction. Reconsideration and allowance of the claims is respectfully requested.

If there are any charges with respect to this Amendment or otherwise, please charge them to Deposit Account No. 06-1130 maintained by Applicant's attorneys.

Respectfully submitted,
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